

Application No. 10/730,720
Amendment dated May 10, 2005
Reply to Office Action of March 18, 2005

Remarks/Arguments

Applicants thank the Examiner for the Office Action/Restriction Requirement of March 18, 2005. This Election is in full response thereto.

In the Restriction Requirement, the Examiner required the Applicants to elect one of three species:


- 1) injection of oxygen-enriched gas as a substitute for the remaining portion of air through a plurality of lances;
- 2) reduction of the remaining portion of air introduced into the flue gas at the plurality of locations; and
- 3) combustion of a portion of an oxygen enriched gas with a second hydrocarbon fuel at a plurality of locations.

In full response to the Response Requirement, Applicants elect species 1, injection of oxygen-enriched gas as a substitute for the remaining portion of air through a plurality of lances.

In order to properly require an election between different species according to US PTO restriction practice, the Examiner must not only show that the two Groups are distinct, the Examiner must also that search and examination of both Groups would be burdensome. In this case, the Examiner failed to make such a showing.

A petition for a one month extension is being contemporaneously submitted with this response. Otherwise it is believed that no fee is due at this time. If that belief should be incorrect, the Commissioner is authorized to debit Deposit Account No. 01-1375 to cover any fees due. The Commissioner is also authorized to credit Deposit Account No. 01-1375 for any overpayments.

Respectfully submitted,



Christopher J. Cronin
Registration No. 46,513

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Date: May 10, 2005
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile to telephone number 703-872-9306 on this 10th day of May, 2005.



Christopher J. Cronin
Registration Number 46,513